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October 22, 2001

**VIA HAND DELIVERY**

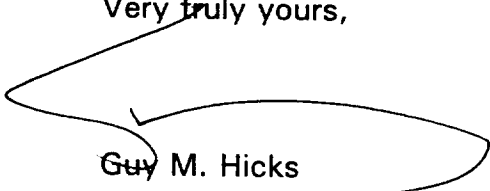
Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: *Docket to Determine the Compliance of BellSouth  
Telecommunications, Inc.'s Operations Support Systems with State  
and Federal Regulations*  
Docket No. 01-00362

Dear Mr. Waddell:

Enclosed are fourteen copies of an additional deposition testimony transcript provided by BellSouth in its North Carolina proceeding convened pursuant to 47 USC §271. The enclosed is being provided to counsel of record.

Very truly yours,

  
Guy M. Hicks

GMH/jej

Enclosure

### CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2001, a copy of the foregoing document was served on counsel for known parties, via the method indicated, addressed as follows:

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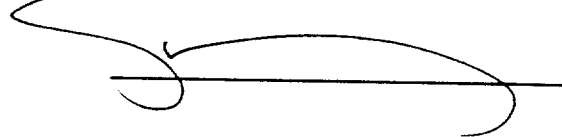
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1 BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

2 ----- X

3 In the matter of: : Docket No.

4 Application of BellSouth : P-55, Sub 1022

5 Telecommunications, Inc. :

6 To Provide In-Region InterLATA :

7 Services Pursuant to Section 271 :

8 Of the Telecommunications Act :

9 of 1996 :

10 ----- X

11 Washington, D.C.

12 Tuesday, October 16, 2001

13 Deposition of LAWRENCE J. FREUNDLICH, a

14 witness herein, called for examination by counsel for

15 AT&T in the above-entitled matter, pursuant to

16 notice, the witness being duly sworn by CRAIG

17 KNOWLES, a Notary Public in and for the State of

18 Colorado, taken at the offices of McKenna & Cuneo,

19 1900 K Street, N.W., Washington, D.C., at 9:10 a.m.,

20 Tuesday, October 16, 2001, and the proceedings being

21 taken down by Stenotype by CRAIG KNOWLES, CSR, CM,

22 and transcribed under his direction.

23

24

25

1 APPEARANCES:

2

3 On behalf of AT&T:

4 TAMI LYN AZORSKY, ESQ.

5 McKenna & Cuneo

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7 Washington, D.C. 20006

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10 On behalf of KPMG Consulting:

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24

25

1 APPEARANCES: (Continued)

2

3 On behalf of BellSouth Telecommunications, Inc.:

4 LISA FOSHEE, ESQ. (Via Telephone)

5 BellSouth Telecommunications, Inc.

6 675 West Peachtree Street, Suite 4300

7 Atlanta, Georgia 30375

8

9 On behalf of KPMG, LLP and the Witness:

10 JOHN W. FRAZIER, IV, ESQ.

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12 Philadelphia, Pennsylvania 19109

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1	C O N T E N T S	
2	WITNESS	EXAMINATION BY COUNSEL FOR
3	LAWRENCE J. FREUNDLICH	AT&T
4	By Ms. Azorsky	6

5

6 E X H I B I T S

7	FREUNDLICH EXHIBIT NO.	PAGE NO.
8	1 BellSouth-GA OSS Testing Evaluation	
9	CLEC Status Meeting Minutes 9/19/01	94

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1 PROCEEDINGS

2 Whereupon,

3 LAWRENCE J. FREUNDLICH,

4 business address at 2001 M Street, N.W., Washington,

5 D.C., 20036, was called as a witness by counsel for

6 AT&T, and having been duly sworn by the Notary

7 Public, was examined and testified as follows:

8 MR. FRAZIER: Let me just state for the

9 record on behalf of Mr. Freundlich and KPMG, LLP that

10 Mr. Freundlich is here today pursuant to a subpoena

11 issued by the North Carolina Utilities Commission

12 which I have accepted service of.

13 Is there anyone here who objects to going

14 forward today with Mr. Freundlich's deposition?

15 MS. SIMPSON: No.

16 MR. FRAZIER: Hearing no objection, let's

17 proceed. I am sorry.

18 MS. FOSHEE: This is Lisa Foshee from Bell

19 South. The only thing I would put on the record is

20 that it is Bell South's position that

21 Mr. Freundlich's deposition is being taken for use

22 in, well, let me say it this way. Bell South's

23 position is that Bell South would object to

24 Mr. Freundlich's deposition being taken again in the

25 context of any of the 271 or OSS proceedings in other

6

1 states. I will leave it at that.

2 MR. FRAZIER: Other than I take it no one  
3 objects to going forward today? Okay, let's do it.

4 (Discussion off the record.)

5 EXAMINATION BY COUNSEL FOR AT&T

6 BY MS. AZORSKY:

7 Q. Good morning, Mr. Freundlich. Could you  
8 please state your full name and business address for  
9 the record?

10 A. Lawrence Joel Freundlich, 2001 M Street,  
11 Northwest, Washington, D.C., 20036.

12 Q. By whom are you employed?

13 A. KPMG, LLP.

14 Q. How long have you been employed by KPMG,  
15 LLP?

16 A. Approximately six-and-a-half years.

17 Q. What is your position there?

18 A. I am a senior manager.

19 Q. How long have you been a senior manager?

20 A. About three months.

21 Q. What was your position before that?

22 A. Manager.

23 Q. How long had you been a manager?

24 A. Five years.



25 Q. Did you have a position at KPMG before

7

1 that?

2 A. Senior consultant.

3 Q. That was the position you had from the  
4 time you joined KPMG?

5 A. That's right.

6 Q. In your employment at KPMG you worked on a  
7 third party test of Bell South's operational support  
8 systems in Georgia; is that correct?

9 A. That's correct.

10 Q. Prior to your work on that test, did you  
11 have any, had you ever worked on any other projects  
12 in the telecommunications industry?

13 MR. FRAZIER: And Mr. Freundlich, in that  
14 regard, the answer to that question is yes or no.  
15 But to the extent that Ms. Azorsky were to ask any  
16 further questions in that regard, I would instruct  
17 you not to disclose the name of a client that you, on  
18 whose job you worked if it were not public  
19 information.

20 Now obviously, to the extent that it's  
21 public information, why, that's fine. But I don't  
22 want you to disclose confidential client. With that  
23 instruction, go ahead and answer the question.

24 THE WITNESS: I don't recall having worked  
25 on, for any other clients in the Telecom industry, if

8

1 that was your question. I have worked on projects  
2 that he involved Telecom services but not in the  
3 Telecom industry.

4 BY MS. AZORSKY:

5 Q. So prior to the work in Georgia, had you  
6 ever done any kind after analysis of a  
7 telecommunications company's operational support  
8 systems?

9 A. No.

10 Q. Have you been involved in third party  
11 tests of the operational support systems of any  
12 regional Bell operating company other than Bell  
13 South?

14 A. No, I haven't.

15 Q. Have you been involved in any third party  
16 test of OSS systems, other than the test in Georgia?

17 A. No, I haven't.

18 Q. Do you have any involvement in the Florida  
19 test?

20 MR. FRAZIER: Object to the form. What do  
21 you mean by involvement?

22 BY MS. AZORSKY:

23 Q. Do you do any work at all on the Florida

24 test?

25 A. No, I don't.

1 Q. Have you provided any consulting to the  
2 people who are working on the Florida test?

3 MR. FRAZIER: Object to the form.

4 THE WITNESS: When you are referring to  
5 consulting, what do you mean?

6 BY MS. AZORSKY:

7 Q. Have you had any discussions with any of  
8 the people who are working on the Florida test about  
9 that test?

10 A. I haven't made any comments on anything  
11 relating to the Florida test. I may have been  
12 present when people have mentioned the Florida test.

13 Q. When you use the phrase comments, are you  
14 referring to formal comments or any spoken word or  
15 something else?

16 A. Any spoken or written word, as far as I  
17 recall.

18 Q. Okay. Without making any comments on,  
19 setting aside on whether you made any comments on the  
20 Florida test, have you had any discussions with the  
21 people in Florida who are conducting the metrics  
22 evaluation there?

23 MR. FRAZIER: About any subject?  
24 MS. AZORSKY: About the metrics evaluation  
25 in Florida.

10

1 THE WITNESS: No, I don't think so.  
2 BY MS. AZORSKY:  
3 Q. Did you assist them in any way in  
4 establishing the metrics evaluation in Florida?  
5 A. No.  
6 Q. What discussions have you been present at  
7 that involved the Florida test?  
8 A. I participate on weekly status calls where  
9 KPMG Consulting folks and myself are present,  
10 focusing on the metrics aspects of different tests in  
11 different jurisdictions.  
12 Q. Who participates in these weekly status  
13 calls?  
14 A. Typically, Steve Strickland, Linda Gray,  
15 John T. Scott, Paul Kahn.  
16 Q. What was that name again?  
17 A. Paul Kahn, K-a-h-n. There may be  
18 occasionally other people, but those would be the  
19 main characters.  
20 Q. By whom is Linda Gray employed?  
21 A. I believe she is employed by KPMG  
22 Consulting.

23 Q. And why is she involved in these weekly  
24 status calls?

25 A. She is one of the people that Steve

11

1 Strickland invited to participate on the calls, just  
2 like me.

3 Q. What role does she play in the tests that  
4 might make it appropriate for her to participate in  
5 these weekly status calls?

6 MR. FRAZIER: Object to the form.

7 THE WITNESS: I am sorry, could you state  
8 that again.

9 BY MS. AZORSKY:

10 Q. What does Linda do in connection with  
11 either the Georgia test or the Florida test that --  
12 what does she do in connection with either the  
13 Georgia test or the Florida test?

14 A. She leads the Birmingham effort that is  
15 part of the Georgia test, and I believe -- for the  
16 metrics. And she also leads the Florida metrics  
17 test.

18 Q. What does Jonathan Scott do with regard to  
19 either the Georgia or Florida test?

20 A. I don't believe he does anything under the  
21 test, to the best of my knowledge.

22 Q. Why does Mr. Scott participate in these  
23 weekly status calls?  
24 MR. FRAZIER: Object to the form.  
25 THE WITNESS: Steve Strickland had asked

12

1 him to participate on these calls.  
2 BY MS. AZORSKY:  
3 Q. What role does Mr. Scott play in these  
4 calls?  
5 A. He discusses the status of metrics  
6 typically in the Ameritech states.  
7 Q. What does Mr. Scott do in the Ameritech  
8 states?  
9 A. He leads the metrics efforts.  
10 Q. Is Mr. Scott's work in the Ameritech  
11 states similar to what you did in Georgia?  
12 MR. FRAZIER: Object to the form.  
13 THE WITNESS: When you say similar, what  
14 do you mean?  
15 BY MS. AZORSKY:  
16 Q. The role you played in Georgia was to lead  
17 the metrics evaluation team; is that correct?  
18 A. That's correct.  
19 Q. Does Mr. Scott do that same thing in the  
20 Ameritech states?  
21 A. I believe so.

- 22 Q. Does Linda Gray do that same thing in the  
23 Florida test?
- 24 A. I believe so.
- 25 Q. What is Paul Kahn's role in third party

13

- 1 tests of OSS systems?
- 2 A. He leads the efforts in the Verizon states  
3 for metrics.
- 4 Q. What is Steve Strickland's role in any of  
5 the OSS tests?
- 6 A. One of the roles is to provide general  
7 oversight to metrics across all the different RBOCs.  
8 In Georgia he also led the follow-through evaluation.  
9 He may have other roles, as well.
- 10 Q. Describe generally the types of things you  
11 discuss on that is weekly status calls?
- 12 A. Typically there is an opening statement by  
13 Steve Strickland where he mentions anything he  
14 considers relative, relevant to administrative  
15 purposes, travel policy or things of that nature.  
16 Then each person gives an update on the status of  
17 their area, depending upon what they think is  
18 relevant.
- 19 Q. Does Mr. Strickland provide any direction  
20 to the metrics team leads that participate in the

21 call?  
22 MR. FRAZIER: Object to the form.  
23 THE WITNESS: Could you clarify, when you  
24 say direction, please?  
25 BY MS. AZORSKY:

14

1 Q. When you give your status on the projects  
2 that you are working on, does Mr. Strickland ever  
3 redirect you in terms of what you are doing?  
4 A. I can't think of any specific cases at  
5 this point in time where he has. He may have at some  
6 point in time.  
7 Q. Okay. What do you understand the purpose  
8 of these weekly status calls to be?  
9 A. To provide information to Steve Strickland  
10 on where things stand in each jurisdiction. He may  
11 use that information as he sees fit.  
12 Q. Do you ever use the information you  
13 collect during this weekly status call to make  
14 decisions about what you are doing on the metrics  
15 evaluation that you are leading?  
16 A. Not that I can recall right now.  
17 Q. Is there anyone other than employees of  
18 KPMG Consulting, Inc., or KPMG, LLP who participate  
19 in these weekly status calls?  
20 A. None that I have heard, that I can recall.



21 Q. Do you report to Steve Strickland with  
22 regard to all of your work on the Georgia third-  
23 party OSS test?  
24 A. I am not sure when you say report, what  
25 exactly you mean?

15

1 Q. Is he the person to whom you are  
2 accountable for the work that you do on the test?

3 MR. FRAZIER: Object to the form. Go  
4 ahead.

5 THE WITNESS: I don't really see it that  
6 way.

7 BY MS. AZORSKY:

8 Q. Okay. Do you have someone that you report  
9 to in the context of the work you do on the Georgia  
10 third-party test?

11 MR. FRAZIER: Again, you are using a word  
12 that he asked you to clarify before.

13 BY MS. AZORSKY:

14 Q. Let me back up. Will you get a  
15 performance evaluation with regard to the work that  
16 you have done on the Georgia third-party test?

17 A. I don't believe I will.

18 Q. Have you gotten them in the past?

19 A. I believe I received one in the past.

20 Q. Who completed that evaluation?  
21 A. Ted Glickman.  
22 Q. Were there people other than Mr. Glickman  
23 who had input into what was said in that evaluation?  
24 A. Not that I know of.  
25 Q. What is Mr. Glickman's role in the Georgia

16

1 third-party test?  
2 A. Currently, he's not involved in the test.  
3 Q. What was Mr. Glickman's role at the time  
4 that he did your performance evaluation for your work  
5 in connection with the Georgia third-party test?  
6 A. He provided oversight on the metrics test  
7 at that point in time, in particular, for the Georgia  
8 test.  
9 Q. Is Mr. Strickland's role currently the  
10 same as Mr. Glickman's role was at the time that  
11 Mr. Glickman did your performance evaluation for your  
12 work in connection with the Georgia third-party test?  
13 A. Mr. Strickland's role would probably  
14 include the work or the role that Ted Glickman had.  
15 It may go beyond that as well.  
16 Q. In what ways does it go beyond what  
17 Mr. Glickman did?  
18 A. It would include oversight and multiple  
19 domains, multiple states at the same time. It would

20 also include oversight of KPMG Consulting personnel.

21 Q. Was Mr. Glickman employed by KPMG, LLP?

22 A. Yes.

23 MR. FRAZIER: Was he when?

24 MS. AZORSKY: At the point in time when he

25 was evaluating your performance on the Georgia

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1 third-party test.

2 THE WITNESS: Yes.

3 BY MS. AZORSKY:

4 Q. When you mentioned Mr. Strickland's role,  
5 you just said that he was responsible for additional  
6 states and additional domains. What do you mean by  
7 domains?

8 A. I may have misspoken in saying that. Is  
9 referring to multiple states, metrics work plus the  
10 flow-through work in Georgia. Yet, he may have other  
11 roles as well.

12 Q. Are you aware of any oversight  
13 responsibilities that Mr. Strickland has with regard  
14 to test domains other than metrics and flow-through?

15 A. I am not aware of any.

16 Q. You mentioned the Birmingham effort that  
17 is part of the Georgia test. What is that?

18 A. There is currently a small team of KPMG

19 Consulting personnel situated in Birmingham, Alabama,  
20 that is conducting additional metrics testing beyond  
21 the MTP and STP scope for the Georgia test.  
22 Q. What is that additional metrics testing?  
23 A. I believe it is additional work that  
24 relates to the Georgia Public Service Commission's  
25 order regarding products and disaggregation levels

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1 that came out sometime last year, middle of last  
2 year.  
3 Q. What exactly are they evaluating?  
4 A. I am not sure exactly what they are  
5 evaluating.  
6 Q. Ms. Gray participates in these weekly  
7 status conferences, correct?  
8 A. That's correct.  
9 Q. Based on what you hear Ms. Gray talking  
10 about when she gives the status of the Birmingham  
11 effort, what do you understand it to be?  
12 MR. FRAZIER: Other than what he has just,  
13 I thought he just told what you it was, what he  
14 understood it was.  
15 MS. AZORSKY: He said he wasn't really  
16 sure. I want to know based on what --  
17 MR. FRAZIER: No, if you go back a couple  
18 answers, I think he told you generally what he

19 understood it to be.

20 BY MS. AZORSKY:

21 Q. Can you describe for me in any greater  
22 detail what you believe Ms. Gray and her team in  
23 Birmingham are doing?

24 A. One of the things I know, hear that they  
25 are involved doing is validation of calculations of

19

1 the values in Bell South's documents.

2 Q. What kind of calculations?

3 A. Something along the same lines of the  
4 replication work that occurred on the MTP and STP  
5 work where one would look at a report, disaggregated  
6 at the levels specified by the commission, and take  
7 data and use the data to see whether they can match  
8 values that Bell South had calculated and published  
9 in those reports or documents.

10 Q. Do you understand this work to be  
11 generally what has been referred to by the Georgia  
12 Public Service Commission as the audit of Bell  
13 South's performance measures data?

14 A. I am not sure what exactly they were  
15 referring to.

16 Q. Do you know when Ms. Gray and her team's  
17 work will be complete?

18 A. No, I don't.  
19 Q. You work for KPMG, LLP, correct?  
20 A. Correct.  
21 Q. There are other people who work for KPMG  
22 LLP who are working on the Georgia third-party test,  
23 correct?  
24 A. That's correct.  
25 Q. The test manager is KPMG Consulting, Inc.;

20

1 is that correct?  
2 A. I believe that's correct.  
3 Q. How is it that people from KPMG, LLP are  
4 involved in the Georgia third-party test?  
5 MR. FRAZIER: Object to the form, but go  
6 ahead.  
7 THE WITNESS: At the time the Georgia  
8 tests began KPMG Consulting, Inc., was a part of  
9 KPMG, LLP. In particular, the individuals currently  
10 on the test in Georgia were KPMG, LLP employees,  
11 still, were part of and are part of my group,  
12 Economic Consulting Services, which was asked to  
13 perform the metrics work.  
14 BY MS. AZORSKY:  
15 Q. During your work on the Georgia  
16 third-party test, did you ever work with Alan  
17 Salzberg?

18 A. I am not sure when you say work with them.

19 If there is something more specific you are

20 referring to --

21 Q. Did you ever have any formal discussions,

22 strike that.

23 Did you ever consult with Mr. Salzberg

24 about any of the work that you were doing on the

25 Georgia third-party test?

21

1 A. Not that I recall.

2 Q. Did you ever consult with Mr. Salzberg

3 about the work that he was doing on the Georgia

4 third-party test?

5 A. Not that I recall.

6 Q. How long was Mr. Salzberg working on the

7 test that was coincident with the time that you were

8 working on the test in Georgia?

9 MR. FRAZIER: Do you understand the

10 question?

11 THE WITNESS: I think I understand the

12 question.

13 MR. FRAZIER: Okay.

14 THE WITNESS: Mr. Salzberg was not working

15 on the test on a full-time basis, the Georgia metrics

16 test. He probably, or he did have, some of his work

17 did occur at the same time that my work occurred.

18 BY MS. AZORSKY:

19 Q. Did you ever have any discussions with him  
20 about the test?

21 MR. FRAZIER: As opposed to consulting one  
22 way or the other, as you used that term before; is  
23 that correct?

24 MS. AZORSKY: That's correct.

25 THE WITNESS: I believe so.

22

1 BY MS. AZORSKY:

2 Q. What did you talk about?

3 A. I believe I asked him if he had any -- if  
4 he had looked at one of the sections of our test  
5 report, or our analyses, PMR 6 section, which deals  
6 with statistics.

7 Q. Why did you ask him that?

8 A. Because he is a Ph.D. statistician, and as  
9 such seemed to be an appropriate person to have  
10 reviewed that section of the report.

11 Q. When you had that discussion with  
12 Mr. Salzberg, were you soliciting his involvement in  
13 a review of PMR 6?

14 A. I don't believe so.

15 Q. Did any statistician conduct a review of  
16 the work done for PMR 6?



17 MR. FRAZIER: Could I hear the question,  
18 please.

19 THE REPORTER: "Question: Did any  
20 statistician conduct a review of the work done for  
21 PMR 6?"

22 MR. FRAZIER: Object to the form.

23 THE WITNESS: When you say statistician,  
24 are you referring to someone with certain credentials  
25 or certain, a certain background other than a

23

1 familiarity with statistics?

2 BY MS. AZORSKY:

3 Q. A moment ago you said that you, let me  
4 back up.

5 A. Sure.

6 Q. A moment ago, you said that you asked  
7 Mr. Salzberg if he had conducted a review of PMR 6,  
8 correct?

9 MR. FRAZIER: Object. I don't think that  
10 is exactly what he said. I think he said if he had  
11 looked at PMR 6. There might be a difference.

12 MS. AZORSKY: Let me restate the question.

13 BY MS. AZORSKY:

14 Q. A moment ago you said that you had asked  
15 Mr. Salzberg if he had looked at PMR 6, correct?

16 A. I believe that's correct.  
17 Q. And I believe you also said you asked him  
18 that because he was a Ph.D. statistician, correct?  
19 A. Correct.  
20 Q. And I believe you also said that you  
21 thought it might be appropriate for him to have  
22 looked at it because he was a Ph.D. statistician.  
23 Did I understand you correctly?  
24 MR. FRAZIER: I don't think that he  
25 exactly what he said, Tami.

24

1 THE WITNESS: He would be an appropriate  
2 person to review it certainly.  
3 BY MS. AZORSKY:  
4 Q. Was there anyone with credentials similar  
5 to Mr. Salzberg's who reviewed the analysis conducted  
6 for PMR 6?  
7 MR. FRAZIER: When you say reviewed, that  
8 is a question I have. That can have a lot of  
9 different meanings. I am not sure what you are  
10 talking about. Looked at, reviewed in the sense of  
11 someone in the superior chain of command, looking at  
12 for a quality control purpose or some other purpose.  
13 I think you need to clarify that just so we are all  
14 on the same page.  
15 BY MS. AZORSKY:

16 Q. Was there anyone with credentials similar  
17 to Mr. Salzberg's who had oversight responsibility  
18 for the evaluation done in PMR 6?  
19 A. Yes.  
20 Q. Who was that?  
21 A. Steve Blough and Charles King.  
22 Q. What is Steve Blough's title?  
23 A. Principal.  
24 Q. Does he work for KPMG, LLP, or KPMG  
25 Consulting, Inc.?

25

1 A. KPMG, LLP.  
2 Q. Does he have a Ph.D. degree in statistics?  
3 A. No.  
4 Q. Does he have statistics training?  
5 A. Yes.  
6 Q. What is that training?  
7 A. He has a master's in statistics, and I  
8 believe he also has statistics training as part of  
9 his Ph.D. in economics and econometrics.  
10 Q. What did he do in terms of his oversight  
11 responsibility for PMR 6?  
12 A. He read the document. And he also had  
13 discussions with the individual who actually  
14 performed the test.

15 Q. Who was the individual who actually  
16 performed the test?

17 A. Albert Lee.

18 Q. Were you present at any of the discussions  
19 between Mr. Blough and Mr. Lee?

20 A. I believe so.

21 MR. FRAZIER: By the way, it's Blough.

22 MS. AZORSKY: Blough.

23 MR. FRAZIER: B-l-o-u-g-h.

24 MS. AZORSKY: Excuse me.

25 BY MS. AZORSKY:

26

1 Q. What were those discussions?

2 A. I am not sure I could recall all of the  
3 discussions that occurred. But one that did occur  
4 was which type of statistical tests were appropriate  
5 based upon the kind of data that were involved for  
6 each various metrics.

7 Q. Was there a resolution to that discussion?

8 A. Yes.

9 Q. What decision was made?

10 A. Depending upon the metric, there was a,  
11 one might perform this type of test, type A, type B,  
12 type C and so forth.

13 Q. Which statistical tests were selected?

14 MR. FRAZIER: For which metric?

15 BY MS. AZORSKY:

16 Q. Across the board, which statistical test,  
17 without talking about which metrics they were for?

18 A. May I look in the book?

19 Q. Sure. Absolutely. I brought that copy of  
20 the master test plan report just in case you needed  
21 it.

22 Just so the record is clear,  
23 Mr. Freundlich is now looking at a binder which  
24 contains the master test plan final report and the  
25 supplemental test plan final report for the Georgia

27

1 third-party test.

2 (Witness examines document.)

3 THE WITNESS: Two of the types of tests  
4 used were binomial tests and hypergeometric tests.

5 BY MS. AZORSKY:

6 Q. Are there any others that you can recall  
7 or identify by looking through the master or  
8 supplemental master test report?

9 A. There may have been T tests as well.  
10 There may have been others as well that I don't  
11 recall at this time.

12 Q. How was the binomial test used in the  
13 conduct of PMR 6?

14 A. It's used as part of the benchmark  
15 comparison of the test CLEC performance data  
16 comparison to a benchmark that was determined by the  
17 Georgia Public Service Commission.  
18 Q. Back up a step. Describe for me generally  
19 what PMR 6 was.  
20 A. PMR 6 is a comparison of, of the test CLEC  
21 data and other similar Bell South performance data or  
22 benchmarks published by the GPSC.  
23 Q. I am not quite sure I understand you, so  
24 let me back up again.  
25 A. Sure.

28

1 Q. PMR 6 looked at test CLEC data. Do you  
2 mean by that data on KCI's performance as the test  
3 CLEC?  
4 A. The performance of the KCI test CLEC.  
5 Q. What did it look at from Bell South?  
6 A. Comparable data for that particular  
7 product and disaggregation level.  
8 Q. Do you mean on Bell South's performance  
9 for itself?  
10 A. Yes, for their retail customers.  
11 Q. Did PMR 6 compare in any way the data Bell  
12 South collected on its performance with itself, for  
13 itself, with the, with data that KCI reviewed?

14 A. I am not sure I understand.

15 Q. Okay. The data that was reviewed for  
16 PMR 6, was it data collected by KCI, or was it data  
17 collected by Bell South?

18 MR. FRAZIER: Or something else.

19 THE WITNESS: The test CLEC data used for  
20 PMR 6 were the data that were generated by KCI and  
21 collected by Bell South.

22 BY MS. AZORSKY:

23 Q. When you say generated, do you mean the  
24 results of the performance for KCI?

25 A. Yes.

1 Q. Was data collected by KCI used in any way  
2 for PMR 6?

3 A. I don't believe we used any KCI-collected  
4 data sets as part of PMR 6.

5 Q. Okay. So the end pointed of the  
6 evaluation for PMR 6, what conclusions you were  
7 trying to reach on the separate evaluation criteria,  
8 what was that in your words?

9 A. We were trying to examine whether the test  
10 CLEC performance met or exceeded the standard, the  
11 standard being either the benchmark or the parity  
12 with Bell South performance.

13 Q. And these statistical tests that you were  
14 talking about were used in the calculations of the  
15 performance; is that correct?

16 A. I believe they were used in the  
17 comparison.

18 Q. By comparison, you mean these statistical  
19 tests were used in the comparison of the Bell South's  
20 performance for the test CLEC with Bell South's  
21 performance for itself?

22 A. I wouldn't refer to it as the Bell South  
23 performance for the test CLEC per se, but it's the  
24 performance of the test CLEC versus the performance  
25 of Bell South or the standard.

30

1 Q. What I am trying to get to here is just  
2 whether these statistical tests were used in  
3 calculating the performance for the test CLEC and  
4 used in, or whether they were used in comparing the  
5 performance for the test CLEC with Bell South's  
6 performance for itself?

7 MR. FRAZIER: Or something else.

8 THE WITNESS: They were used as part of  
9 the comparison between the test CLEC performance and  
10 Bell South performance or the standard or benchmark.

11 BY MS. AZORSKY:

12 Q. What on the things were discussed between



13 Mr. Blough and Mr. Lee in terms of PMR 6?  
14 A. That is all I can really recall at this  
15 time for those instances where I was present.  
16 Q. Did Mr. Lee ever tell you anything else  
17 that was discussed in an instance when you were not  
18 present?  
19 A. I don't believe so.  
20 Q. What was Charles King's role in oversight  
21 for the metrics portion of the — strike that.  
22 What was Charles King's role in oversight  
23 for PMR 6?  
24 A. He read the report and made some edits.  
25 Q. What edits did Mr. King make?

31

1 A. I can't really recall at this time.  
2 Q. Do you remember the subject of areas that  
3 Mr. King edited, generally?  
4 A. No, I don't.  
5 Q. What is Mr. King's title?  
6 A. I believe he's a managing director.  
7 Q. What is his educational background?  
8 A. I believe he has a Ph.D.  
9 Q. Do you know what his Ph.D. is in?  
10 A. I am not certain. I believe it's physics.  
11 MR. FRAZIER: Don't guess. But if you

12 have a reasonable understanding, you can certainly  
13 testify to that. But don't guess. She doesn't want  
14 you to do that, and I don't, either.

15 BY MS. AZORSKY:

16 Q. Do you know if his Ph.D. is in statistics?

17 A. I don't know that.

18 Q. We talked about the weekly status calls  
19 within KCI and KPMG. Do you also participate in  
20 calls with people outside of KPMG, LLP and KCI?

21 A. Yes.

22 Q. What types of calls do you participate in?

23 A. There are also weekly status calls with  
24 Bell South and commission staff personnel. There are  
25 biweekly calls at this time, formerly weekly calls,

1 where the CLECs are present along with Bell South and  
2 KPMG and KCI. And we often have calls with Bell  
3 South, metrics people, discussing various issues.

4 Q. The weekly status calls with Bell South  
5 and commission staff, do CLECs participate in those  
6 weekly calls?

7 A. Not in those.

8 Q. When was the last time you had one of  
9 those weekly calls?

10 A. Last Tuesday.

11 Q. What was discussed at that call last

12 Tuesday?

13 A. I discussed the open issues that I had,  
14 that I was investigating. I don't recall whether  
15 Linda Gray was present on that call, so I can't say  
16 what else was discussed. I am not certain.

17 Q. Why does Linda Gray's presence have a  
18 relationship to what was discussed?

19 A. If she were present, she would have given  
20 a status report on where her Birmingham efforts were.  
21 But I just can't remember whether she was present  
22 last week or not.

23 Q. Okay. Other than your discussion of the  
24 open issues that you were investigating, what else  
25 was discussed on the call?

33

1 A. There's nothing else I can specifically  
2 remember.

3 Q. Who all participated in the call last  
4 Tuesday?

5 A. The people who I am fairly certain were  
6 there were myself, Rob Elgie, Maria Boykin of Bell  
7 South. Clayton Lindsey of Bell South. I believe  
8 Milton McElroy was there. There may have been others  
9 as well.

10 Q. By whom is Rob Elgie employed?

11 A. KPMG Consulting.

12 Q. What did you say about the open issues you  
13 are investigating?

14 A. I listed the currently open exceptions  
15 and, in particular, those issues within those  
16 exceptions that were still unresolved. And the  
17 status of each of those items, whether we were  
18 waiting for data or whether the issues had now been  
19 resolved in some cases, whether we were waiting,  
20 again, we were awaiting data.

21 Q. When you named the people who were present  
22 at that call, you didn't name anyone from the Georgia  
23 Public Service Commission. Was there anyone there  
24 from the Georgia Public Service Commission?

25 A. I am not completely certain.

34

1 Q. Is there someone from the Georgia Public  
2 Service Commission staff that generally participates  
3 in these weekly calls?

4 MR. FRAZIER: Object to the form. Go  
5 ahead.

6 THE WITNESS: Leon Bowles or Dennis Sewell  
7 are on these calls a number of times.

8 BY MS. AZORSKY:

9 Q. But you can't recall today if they were on  
10 the call last Tuesday?

11 A. That's correct.

12 Q. How long have these calls been happening

13 every week?

14 A. Other than an occasional cancellation of a

15 call, I believe they have been occurring every week

16 for about a year and a half.

17 Q. In that year and a half, please give me an

18 estimate of the number of calls that the Georgia

19 commission staff, in which the Georgia commission

20 staff did not participate.

21 MR. FRAZIER: She's asked you for an

22 estimate. Again, I don't want you to guess. But if

23 you have some reasonable estimation, you certainly

24 can tell her that.

25 THE WITNESS: I believe I have heard

35

1 someone from the commission staff on the call more

2 often than not. But I am not sure I could say

3 specifically.

4 BY MS. AZORSKY:

5 Q. Last Tuesday in this call you listed the

6 currently open exceptions. Can you tell me what are

7 those currently open exceptions?

8 A. Exception 79, 86, 89, 122, 136 and 137.

9 Those are the metrics related exceptions I can recall

10 at this time that are still open.

11 Q. Is there an exception 129 that is still  
12 open?

13 A. I don't know whether that is open or not.

14 That was, that came out of the Birmingham team, so I  
15 am not involved in that exception.

16 Q. Okay.

17 MR. FRAZIER: Can we take a quick break?

18 MS. AZORSKY: Sure.

19 (Recess.)

20 BY MS. AZORSKY:

21 Q. What is exception 79?

22 A. Exception 79 deals with Bell South's  
23 retention, data retention issues.

24 Q. What are those data retention issues?

25 A. Our understanding at the point in time we

36

1 prepared that exception was that there were not any  
2 formal policies in place for which Bell South had  
3 retained data regarding the performance metrics, for  
4 any specific period of time.

5 Q. Exception 79 is still open at this time?

6 A. Yes, it is.

7 Q. Are there still issues that are  
8 unresolved?

9 A. Not anymore, no.

10 Q. When will exception 79 be closed?  
11 A. I will be preparing a closed report for  
12 exception 79 in a few days. That is reviewed by KPMG  
13 Consulting, goes to commission staff to see if they  
14 have any additional questions. If not, it's filed  
15 publicly and closed. I can't say how long that will  
16 take, no.

17 Q. Does Bell South now have data retention  
18 policies?

19 A. Yes.

20 Q. What are those policies?

21 A. They keep the raw data for a period of  
22 three years, the early stage data for 18 months.  
23 They also keep computer programs that are used to  
24 generate these various data and the SQM reports, as  
25 well as keeping the SQM reports, themselves, for a

37

1 period of three years.

2 Q. Has KPMG done any analysis of whether Bell  
3 South complies with that policy?

4 MR. FRAZIER: Can I hear the question  
5 again.

6 THE REPORTER: "Question: Has KPMG done  
7 any analysis of whether BellSouth complies with that  
8 policy?"

9 THE WITNESS: Can you restate the  
10 question? I am sorry.

11 BY MS. AZORSKY:

12 Q. I don't know how else to state the  
13 question. As part of the metrics review, did KPMG do  
14 any analysis of whether Bell South does the things  
15 that the policy says it will do?

16 A. We have had discussions with Bell South in  
17 which they have stated that they have purchased  
18 various systems or servers or other means to retain  
19 data. Some of these policies have gotten into place  
20 relatively recently or they have been implemented  
21 very recently according to Bell South, and so it  
22 hasn't been possible at this point in time to make  
23 any further analysis.

24 Q. Of whether Bell South complies with those  
25 policies?

38

1 A. Correct.

2 Q. Is an examination of whether Bell South  
3 complies with those policies part of the Birmingham  
4 effort?

5 A. I don't believe so, but I am not certain.

6 Q. Did KPMG give Bell South any advice on  
7 what the data retention policies should be?

8 A. We have had discussions on that topic with



9 the commission and Bell South, they have been  
10 present.

11 Q. What did you say in those discussions?

12 A. I believe we indicated that a period of 18  
13 months would be sufficient for data retention.

14 Q. Do you know why Bell South has a different  
15 time period for retention of the early stage data  
16 than for the process data?

17 A. The three-year process data requirement  
18 was determined by the commission, itself. I am not  
19 certain why that three years is different than the 18  
20 months.

21 Q. So it is your understanding the commission  
22 actually ordered Bell South to retain the process  
23 data for three years?

24 A. I don't recall that there was any formal  
25 order, but I believe that policy and those lengths of

1 time were determined by the commission.

2 Q. Do you know how those determinations of  
3 the commission were expressed to Bell South?

4 MR. FRAZIER: I.e., earlier in writing, is  
5 that the --

6 THE WITNESS: I really don't recall at  
7 this time.

8 BY MS. AZORSKY:

9 Q. What is exception 86?

10 A. Exception 86 is a calculation validation  
11 and comparison exception, various metrics where we  
12 were examining that feature for the CLEC aggregate  
13 and Bell South retail data.

14 Q. What calculations were you validating and  
15 comparing?

16 A. These were calculations that appeared on  
17 the CLEC aggregate and Bell South retail SQM reports  
18 that are published by, that are published on their  
19 PMAP web site.

20 Q. Which metrics test is exception 86 related  
21 to?

22 A. PMR 5.

23 Q. Describe for me the types of data that are  
24 being compared for PMR 5.

25 A. PMR 5 consists of taking the process data,

1 using the raw data user manual, other computation  
2 instructions to calculate metrics and then comparing  
3 those metrics to the numbers that appear in the SQM  
4 reports. There is also a comparison of values that  
5 are reported in the SQM reports to the disaggregation  
6 levels that appear in the SQM manual.

7 Q. Do I understand you to be saying that what

7 commission?

8 A. No.

9 Q. What are the issues still unresolved

10 relating to exception 86?

11 A. The first issue listed in exception 86 is

12 the metric percent provisioning troubles within 30

13 days of service work completion.

14 Q. What is still unresolved about percent

15 provisioning troubles within 30 days?

16 A. KPMG calculations do not match some of the

17 values that are reported in the SQR reports.

18 Q. For purposes of analyzing percent

19 provisioning troubles within 30 days, what months

20 data were you working with?

21 A. We have looked at a number of months data

22 for this one. I believe the first month we looked at

23 was November of 1999. Most recently I believe we

24 have looked at July 2001 data. We have looked at a

25 few months in between, and we will be looking at the

1 September, 2001 data next.

2 Q. Are you still unable to recreate Bell

3 South's numbers using these data?

4 A. As of our last analysis, there are still

5 some numbers in these reports that we cannot

6 recreate.

7 Q. So what is the next step?

8 A. Based upon your findings and Bell South's

9 work on this subject, there are some changes in the

10 Bell South system's calculations that are being

11 implemented or have been implemented. They will take

12 the September data, determine whether they feel that

13 the SQM reported values for September are

14 recreatable, if you will and, if so, they will send

15 us the September data and we will try -- we will then

16 independently make our own calculations and compare

17 them to the official SQM reports.

18 Q. So the next data you will evaluate will be

19 data that is generated by Bell South systems after

20 they have made these programming changes; is that

21 correct?

22 A. That's correct.

23 Q. When do you expect that to occur?

24 A. I would expect to receive the data within

25 the next few days and perform the analysis right

43

1 thereafter.

2 Q. The data that you use to do your

3 recreation of Bell South's numbers that are reported

4 in the SQM reports, where does that data come from in

5 Bell South systems?

6 A. It depends upon the metric, but typically,  
7 for a metric that is calculated within PMAP, it's the  
8 NODS data, N-O-D-S, or typically referred to as the  
9 law data.

10 Q. Okay. To make sure I am clear, for  
11 purposes of this review in PMR 5, you are comparing  
12 only the NODS data and whether the Bell South SQM  
13 report numbers can be recreated from the NODS data?

14 A. That is not correct.

15 Q. Okay then, tell me what is correct.

16 A. Okay.

17 Q. Because I wasn't sure I was clear.

18 A. If the metric is calculated in the Bell  
19 South systems through the PMAP process, then  
20 typically we are looking at the raw data or NODS  
21 data. I can't recall at this time if there are any  
22 exceptions to that rule, but there aren't any that  
23 come to mind immediately.

24 There are a number of metrics, however, at  
25 least that when we were evaluating them were not

1 calculated as part of the PMAP system, they are  
2 typically referred to as manual metrics because they  
3 are calculated manually and, therefore, the NODS was  
4 not an applicable place.

5 Q. Where does that data come from that is

6 used for these manual metrics?

7 A. Typically we receive these data, these are

8 process data provided directly by the subject matter

9 experts. I am not certain off the top of my head,

10 you know what the flow of data was or if there was

11 any specific term that was used to describe the point

12 in the process that you would say that it's

13 comparable to NODS. There may not be, it may vary by

14 metric.

15 Q. Did I understand you to be saying that

16 someone at Bell South collects this data in a manual

17 format somewhere in their system and puts it on a

18 spreadsheet they give to you?

19 A. That is true in some cases.

20 Q. How else do you get the data?

21 A. There were times the data were provided in

22 ASCII format that came, looked as if they came

23 directly from systems, without any manual

24 manipulation, if you will.

25 Q. Okay. When you talk about the NODS

45

1 database, is it your understanding with the dated

2 that that appears in the NODS database has been

3 processed by Bell South?

4 MR. FRAZIER: Processed in what respect.

5 BY MS. AZORSKY:

6 Q. You understand the term process, don't

7 you?

8 A. I would refer to it as having been

9 processed, having gone through different systems.

10 Q. Okay. Is there any data that appear in

11 Bell South's early stage data that is excluded from

12 the NODS database?

13 A. There were certainly instances where that

14 occurred.

15 Q. Is the issue of whether early stage data

16 is excluded from the NODS database something that you

17 evaluated as part of PMR 5?

18 A. No.

19 Q. Was there a test that evaluated whether

20 early stage data was excluded from the NODS database?

21 A. I would say there are several tests.

22 Q. What are those tests?

23 A. PMR 2 and PMR 4.

24 Q. But for purposes of PMR 5, you used only

25 what is in the NODS database and these other manual

1 metrics information?

2 A. I believe that's correct.

3 Q. We talked about one of the issues still

4 unresolved being the percent provisioning troubles

5 within 30.

6 Other issues are unresolved in exception

7 86?

8 A. That is the only one.

9 Q. I may have asked you this. Do you have

10 any estimate of when you will conduct your next

11 review of data on percent provisioning troubles

12 within 30 days?

13 MR. FRAZIER: You did ask him that.

14 But go ahead and answer it again.

15 THE WITNESS: It will be within a few days

16 of when we receive the data.

17 BY MS. AZORSKY:

18 Q. I apologize. The next exception you

19 mentioned as still open is exception 89?

20 A. Correct.

21 Q. What is exception 89?

22 A. Exception 89 is a data integrity exception

23 dealing with the accuracy of the raw or processed

24 data. It's a comparison of the values found in the

25 early stage data to the values found in the processed

1 data.

2 Q. So did exception 89 arise out of tests

3 that were conducted in either PMR 2 or PMR 4?



4 A. PMR 4.

5 Q. What was the test that was being conducted

6 that gave rise to exception 89 in general terms, not

7 by number?

8 A. Right. There are a number of metrics

9 listed in exception 89. But again, it was a

10 comparison of the values found in early stage data to

11 values found in the raw data, processed data.

12 Q. You have been using the term raw data and

13 processed data together. Why is that?

14 A. Bell South uses the term raw data to

15 describe data that are used in the calculation or the

16 validation of the SQM report values. And that's

17 their technical term for it.

18 I think it enhances an understanding when

19 discussing this type of issue to refer to it either

20 as raw data or processed data.

21 Q. Because what Bell South refers to as raw

22 data has already been processed; is that correct?

23 A. That's correct.

24 Q. What are the issues still unresolved with

25 regard to exception 89?

1 A. Preordering OSS response interval. That's

2 the only one still open.

3 Q. What is still open about the preordering

4 OSS response interval?

5 A. There are a variety of different

6 preordering systems. Again, we are doing comparison

7 of the early stage and raw processed data. We have,

8 we tested one of those systems, New Lens, and

9 concluded that the, based upon a recent analysis, the

10 numbers do match. However, for the other three

11 systems, ROS, RNS and TAG, we are still not at that

12 point.

13 Q. When you say we are still not at that

14 point, do you mean to say the early stage data still

15 does not match the data that Bell South is using to

16 calculate the SQM --

17 A. As of our most recent analysis, correct.

18 Q. When was that most recent analysis?

19 A. For ROS we conducted our analysis within

20 the last month. For RNS and TAG, it was a number of

21 months ago.

22 Q. More than three months ago?

23 A. I believe so.

24 Q. More than six months ago?

25 A. I am not certain.

1 Q. When will you do your next evaluation of

2 data in connection with exception 89?

3     A.   For several of the systems we should be  
4   receiving data within the next few days and will  
5   conduct our analysis within a few days of receiving  
6   the data.

7           For one of the systems we are awaiting  
8   some clarifications, some answers to questions from  
9   Bell South.

10    Q.   What questions are you waiting for  
11   clarifications on?

12    A.   We had recent data we were looking at for  
13   the raw system, I believe, and our calculation of the  
14   OSS response interval based upon the early stage data  
15   did not always match the raw data that Bell South  
16   supplied us for this comparison. And we have asked  
17   them why that is, and they are currently  
18   investigating that issue.

19    Q.   Have they given you any information in  
20   response to that inquiry?

21    A.   Yes.

22    Q.   What information has Bell South given you  
23   in response to that inquiry?

24    A.   We asked whether it was potentially  
25   related to some rounding that occurred in some

1   calculations, and they indicated that was not the  
2   case.

3 Q. Is there any other information that Bell  
4 South has provided to you in connection with that  
5 issue?

6 A. That issue meaning our most recent  
7 analysis?

8 Q. Yes.

9 A. No.

10 Q. Why did you ask Bell South whether it  
11 might be due to rounding?

12 A. Because the values were extremely close.  
13 And I believe we saw that there were a different  
14 number of digits to the right of the decimal point  
15 that were provided in one level of data versus the  
16 other.

17 Q. The issues for which you have, the issues  
18 relating to exception 86, strike that. Let me start  
19 all over again.

20 The issues related to exception 89 for  
21 which you have requested further clarification from  
22 Bell South, when do you expect to receive those  
23 clarifications?

24 A. I don't have any particular expectation.

25 Q. You mentioned the preordering OSS interval

1 is an exception still for exception 89?

2 A. Correct.

3 Q. For the test that gave rise to exception

4 89, did KPMG do a comparison of the early stage data

5 to Bell South's raw data for each performance metric

6 that Bell South currently reports in its SQM?

7 A. No.

8 Q. Is it listed anywhere in the supplement

9 test plan final report what metrics KPMG did conduct

10 such an analysis for?

11 A. Yes.

12 Q. Where is it listed?

13 A. Within the PMR 4 report, one can look at

14 either --

15 MR. FRAZIER: Why don't you give a page

16 number or some reference.

17 THE WITNESS: Sure.

18 MR. FRAZIER: So the record will reflect

19 that.

20 THE WITNESS: Okay. An example is page

21 number, VIII dash D-2, table VIII-4.1. There are a

22 list of metrics and I believe we performed an

23 accuracy test for all the metrics listed here.

24 BY MS. AZORSKY:

25 Q. So your recollection is that you performed

1 an accuracy test for each of the metrics listed in

2 table VIII-4.1, is that what I understand?

3 A. It's possible that there is an exception

4 to that rule. But that is my recollection at this

5 time.

6 Q. How did you select which metrics you would

7 conduct an accuracy evaluation for?

8 A. We used the SQM manual that was in our

9 original MTP document as the list of metrics that

10 would be part of our test. We also added one metric

11 to that list in trunk group performance that had been

12 added later on.

13 Q. The SQM that was listed in the master test

14 plan was the May 2000 SQM?

15 A. No, it wasn't.

16 Q. What SQM was it?

17 A. October of 1999.

18 Q. Do you understand that that SQM was later

19 modified?

20 A. Yes.

21 Q. When do you understand that that SQM was

22 modified?

23 A. It was modified a number of times since

24 then.

25 Q. Were you aware that the Georgia commission

1 issued an order in January of 2001 that related to  
2 performance measures?

3 A. I believe so.

4 Q. Did you do any evaluations of metrics  
5 listed in SQM adopted by Bell South after the Georgia  
6 commission issued that January, 2001 order?

7 A. I am not sure I understand the question  
8 completely.

9 Q. As I understood, we will back up. As I  
10 understood what you said, the metrics that were  
11 reviewed for PMR 4 came out of an SQM, dated October,  
12 1999.

13 A. Right.

14 Q. And you added one metric for trunk group  
15 performance, correct?

16 A. Yes.

17 Q. I also understood you to say that Bell  
18 South modified its SQM after the January, 2001  
19 Georgia commission order?

20 A. I am not sure if I said that.

21 Q. Do you understand that Bell South modified  
22 its SQM after the January, 2001 Georgia commission  
23 order?

24 A. I believe they have.

25 MR. FRAZIER: I think he said it, they

1 Bell South use interface gateway time stamps for  
2 calculations purposes for most metrics rather than  
3 other time stamps that may have been taken from their  
4 Legacy systems, and currently, Bell South is still  
5 implementing those changes to their system so that  
6 they will be using the gateway time stamps in the  
7 future.

8 Q. Are there any other issues still  
9 unresolved on exception 122?

10 A. When that change occurs, they will be  
11 updating their SQM manual to specifically refer to  
12 their use of the interface gateway time stamps in the  
13 calculations.

14 Q. Does the SQM manual currently reflect  
15 something different than what Bell South is doing?

16 A. I am not sure that I have looked at the  
17 currently issued SQM manual. The last one that I  
18 looked at, however, I don't believe they specified  
19 which time stamps were being used with any level of  
20 specificity.

21 Q. I am having trouble understanding why the  
22 exception was opened. What was the issue that caused  
23 you to open the exception, 122?

24 A. Bell South was using time stamps from  
25 their Legacy source system and, rather than gateway



1 time stamps. And in conjunction, as a result of  
2 discussions between, among myself and people involved  
3 in the ordering domain within KPMG Consulting as well  
4 as others in KPMG Consulting, it was felt that the  
5 duration would be better calculated by, by using the  
6 interface gateway time stamps rather than the Legacy  
7 source system time stamps.

8 Q. What metrics does this time stamp issue  
9 affect?

10 A. Two metrics that I studied that it would  
11 affect are reject interval and FOC timeliness. There  
12 may be additional metrics at this point, as well,  
13 that it affects.

14 Q. When you say interface gateway, define for  
15 me what you mean by that.

16 A. The point at which the order hits the Bell  
17 South system coming from a CLEC or the point at which  
18 it leaves the Bell South system heading toward a  
19 CLEC.

20 Q. When you use the Legacy system gateway,  
21 what do you mean by that?

22 MR. FRAZIER: Objection on the form. I  
23 don't think he used quite those words.

24 BY MS. AZORSKY:

25 Q. I think you are right, you didn't use the

1 term gateway, did you?

2 A. No.

3 Q. When you use Legacy system, what do you  
4 mean by that?

5 A. For instance, the LEO system, which  
6 would -- time stamp would include additional time  
7 from the point at which the incoming order went from  
8 the gateway and went through, start going through  
9 some of Bell South's systems including LEO.

10 Q. So when you use the term Legacy systems,  
11 you are talking about when the order actually enters  
12 the LEO system?

13 A. I am not certain whether it's, whether  
14 it's when it enters the LEO system or leaves LEO  
15 system or somewhere in between. I don't recall at  
16 this point.

17 Q. What is the next step in the process for  
18 exception 122?

19 A. Currently we are waiting to hear from Bell  
20 South that they are using the interface gateway time  
21 stamps rather than the, than the other time stamps  
22 and I believe that they are, they will be using the  
23 EDI -- I am sorry. They will bow using the interface  
24 gateway time stamps for TAG, TAG orders at some point  
25 this month. However, I believe they are still

1 working on this change for orders coming in through

2 EDI.

3 Q. Once Bell South informs you that the

4 changes have been made to use the time stamps at the

5 interface gateway, what will do you?

6 A. I am not certain at this time.

7 Q. Is there any further evaluation planned

8 after Bell South informs you that they are using the

9 time stamps from the interface gateway?

10 A. Nothing planned at this time.

11 Q. Is there any further data analysis planned

12 after Bell South informs you that they are, have

13 moved to the interface gateway time stamps?

14 A. I don't have anything planned at this

15 time.

16 Q. Will you have to do something else after

17 Bell South informs you that this change has been made

18 in order to resolve the unresolved issues in

19 exception 122?

20 MR. FRAZIER: Object to the form.

21 THE WITNESS: I am not certain.

22 BY MS. AZORSKY:

23 Q. When you open an exception, do you come up

24 with some kind of plan for what will have to happen

25 in order to have that exception resolved?

1 A. It depends on the exception and purpose of  
2 the exception.

3 Q. Take exception 122. You opened it because  
4 Bell South was using Legacy system time stamps?

5 A. Right.

6 Q. Instead of gateway time stamps?

7 A. Right.

8 Q. Correct?

9 A. That's correct.

10 Q. And you understand that Bell South is  
11 changing, making system changes so that it will use  
12 gateway time stamps, correct?

13 A. Correct.

14 Q. What will you do to ensure that that  
15 happens?

16 A. Exception 122 is an exception that comes  
17 under our metrics definition tested, PMR 2 and, as  
18 such, we would perform, I would review the various  
19 evaluation measures to determine whether the --  
20 whether they are in compliance before I would close  
21 the exception or before I would consider the, those  
22 particular test cross-references as satisfied rather  
23 than not complete, which they currently are.

24 Q. So you think you will have to do something  
25 else in order to resolve the unresolved issues in

1 exception 122?

2 A. I will have to look, review the evaluation  
3 measures and determine whether there is anything  
4 specific I need to --

5 Q. What kind of review of the evaluation  
6 measures will you do?

7 A. I would pretty much look at the evaluation  
8 measures as they are listed for PMR 2 in this book  
9 and see whether based upon having made changes in  
10 their systems, whether there is anything item by item  
11 that I would need to do, whether it was, for  
12 instance, comparison between raw data user manual and  
13 the SQM manual; whether it was anything regarding  
14 exclusions, anything of the definition, looking at  
15 the definition versus calculation descriptions in the  
16 SQM manual and so forth.

17 Q. Do you have an estimate of when exception  
18 122 will be resolved?

19 A. No, I don't.

20 Q. Two other exceptions that you mentioned  
21 were exception 136 and 137. Are those exceptions  
22 related in any way?

23 A. They are related to each other, yes.

24 Q. Can you describe for me what exceptions  
25 136 and 137 are?

1 A. Exceptions 136 and 137 dealt with a  
2 comparison of KCI test CLEC data that was generated  
3 and collected by KCI to the KCI generated data that  
4 was collected by Bell South.

5 Q. Why was exception 136 opened?

6 A. This exception was opened because one of  
7 discrepancies in the time stamps that were coming  
8 from each of those data sets.

9 Q. What kind of discrepancies?

10 A. The time stamps didn't match and the, nor  
11 did they, were they within the range of closeness  
12 that we would expect.

13 Q. Why was exception 137 opened?

14 A. Same reasons as for 136: More recent  
15 months of analysis.

16 Q. So if I understand you, what you are  
17 saying, KCI collected data on the performance and  
18 compared that data to the data that Bell South  
19 collected, is that accurate?

20 MR. FRAZIER: I don't think that is quite  
21 the way he described it, but --

22 BY MS. AZORSKY:

23 Q. If that is not accurate, tell me what's  
24 wrong with it, please.

25 A. We compared the data that KCI collected to

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1 the comparable data that Bell South collected.

2 Q. And you found differences in the data you  
3 collected than in the data that Bell South collected?

4 A. I didn't personally collect the data.

5 But, yes. There were differences between the data  
6 that KCI collected versus the data that Bell South  
7 collected.

8 Q. And this time stamp issue, just so I am  
9 clear, the time stamp information that KCI collected  
10 showed a different time than the time stamp  
11 information that Bell South had?

12 A. That's correct.

13 Q. Which performance metrics would this issue  
14 affect?

15 A. I believe the two metrics in the ordering  
16 domain that deal with duration, reject interval and  
17 the fault time, FOC timeliness metrics.

18 Q. What issues are still unresolved with  
19 regard to exceptions 136 and 137?

20 A. We have conducted some retesting since  
21 those exceptions were opened, and we are still trying  
22 to verify data on the TAG system.

23 Q. What retesting have you conducted since  
24 those exceptions were opened?

25     A.   To begin with, in some ways, in many ways

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1   the analyses that were performed for exception 137  
2   were at the same time a retest for the issues that  
3   came up in 136, because they were more recent months.

4           Additionally, we have conducted some  
5   accuracy and timeliness comparisons of data for using  
6   CLEC aggregate data, more recently.

7     Q.   What tests did you conduct that related to  
8   accuracy and timeliness of the CLEC aggregate data?

9     A.   I am sorry, I meant accuracy and  
10   completeness of those data. But that is a comparison  
11   from various, the various data sets involved of  
12   whether the values in one data set are the same as  
13   the values in the other data set as well as whether  
14   all the data in one data set are, appear in the other  
15   data set.

16    Q.   Are you in the process collecting  
17   additional data to do those evaluations?

18    A.   We received data from Bell South to do  
19   those additional evaluations.

20    Q.   But is KCI collecting additional data to  
21   compare with the data they are getting from Bell  
22   South?

23    A.   No, they are not.



24 Q. So what are you comparing the Bell South  
25 data to?

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1 A. We are comparing data at this point in  
2 time from different systems within -- different  
3 points of systems within Bell South.

4 Q. Give me an example.

5 A. Two Bell South provided data sets at  
6 different stages of processing for these metrics. As  
7 I mentioned, there are different systems. I don't  
8 really recall at this time which -- I don't really  
9 know how to describe at this point in time the  
10 different points that we are looking at. But there  
11 are, we are looking at it system by system, in some  
12 cases the issues were resolved based upon the initial  
13 data comparison, explanations from Bell South, the  
14 comparison of test CLEC data that Bell South had  
15 versus that that the test CLEC had. But in other  
16 cases, it's been this other evaluation of CLEC  
17 aggregate data in different points of the Bell South  
18 processing system.

19 Q. Will KCI again collect information on its  
20 own -- on the performance, collect its own  
21 information on performance and compare that to Bell  
22 South's data before resolving exceptions 136 and 137?

23 A. Not as far as I know.

24 Q. What data are you trying to verify on the  
25 TAG system?

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1 A. We are trying to verify the time stamps  
2 that would appear in the raw data that relate to the  
3 TAG system.

4 Q. Okay. When you did your comparison of the  
5 KCI collected data with the Bell South data --

6 A. Yes.

7 Q. -- did you compare it to Bell South data  
8 that was in NODS?

9 A. No, I don't believe so.

10 Q. So you compared it to data that was from  
11 where?

12 A. Based upon the issues that we discussed  
13 earlier on exception 122, the earliest time stamp  
14 that was available would be the Legacy source system  
15 time stamp.

16 Q. And that time stamp information is not  
17 reported in NODS?

18 A. I believe that is the time stamps that are  
19 used in NODS. I don't recall whether we used a  
20 regular raw data set or something else that reflected  
21 those time stamps.

22 Q. What do you mean by regular raw data set?

23 A. The same exact raw data set that would be  
24 used for calculating SQM values.  
25 Q. That is the data that is in NODS, correct?

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1 A. Correct.

2 Q. So the evaluations that gave rise to  
3 exceptions 136 and 137 did not take the KCI collected  
4 data and compare it to information that KCI went into  
5 NODS and pulled out?

6 MR. FRAZIER: Is that a question or  
7 statement.

8 MS. AZORSKY: It's a question. It did not  
9 evaluate, did it.

10 THE WITNESS: I don't recall at this time  
11 whether those particular exceptions in those months  
12 that we were looking at as part of those exceptions,  
13 whether the comparison was between the test CLEC data  
14 that KCI collected to the NODS raw data or some other  
15 form of raw data.

16 BY MS. AZORSKY:

17 Q. What tests gave rise to exceptions 136 and  
18 137?

19 A. Data comparison tests that appear in the  
20 O&P section, O&P 7 section of the report.

21 Q. In the context of conducting O&P 7, any of  
22 the tests in O&P 7, where did you get the Bell South

23 data that you compared the KCI collected data to?

24 A. Generally speaking, we would download

25 those data from the PMAP web site.

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1 Q. What are the exceptions to that?

2 A. There would certainly be exceptions for

3 the manual metrics.

4 Q. Okay. Anything other than the manual

5 metrics? Were there any exceptions to downloading it

6 from PMAP other than the manual metrics?

7 A. There aren't any that I can recall at this

8 time.

9 Q. Okay. What will you have to do to resolve

10 exceptions 136 and 137, what steps are left?

11 A. We are awaiting additional data from Bell

12 South that relates to the TAG system. When we

13 receive those data, we will compare them to the

14 comparable raw data files to analyze the accuracy and

15 completeness issues.

16 Q. Is there anything else you are waiting for

17 from Bell South?

18 A. Not that I can recall on that exception.

19 Q. Is there anything else that you have to do

20 to conduct the further analysis necessary to make

21 decisions about exceptions 136 and 137?

22 A. I don't believe so.  
23 Q. Did KCI ever consider running another test  
24 to collect data so that KCI could again compare data  
25 it collected to Bell South data?

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1 A. I don't know the answer to that.  
2 Q. Did you personally consider it?  
3 A. No.  
4 Q. Did you discuss that possibility with  
5 anyone at either KCI or KPMG?  
6 A. I believe I discussed that we would have  
7 to do a slightly different kind of test to resolve  
8 some of the issues that had come up in 136 and 137,  
9 since KCI was not currently collecting or generating  
10 data of its own. But I don't believe that I  
11 suggested they -- they start collecting data of their  
12 own.  
13 Q. Who did you have those discussions with?  
14 A. I can't recall at this time.  
15 Q. Did you consider asking a CLEC in the  
16 marketplace for their data for a month in order to  
17 compare that data with the Bell South data?  
18 A. Not that I recall.  
19 Q. Do you know if anyone within KCI or KPMG  
20 considered that?  
21 A. Not that I know of.

22 MS. AZORSKY: Why don't we take a quick  
23 break.

24 THE WITNESS: Sure.

25 (Recess.)

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1 MS. AZORSKY: Let's go back on.

2 BY MS. AZORSKY:

3 Q. When did you start drafting -- strike  
4 that.

5 Did you draft the metrics portion of the  
6 supplemental test plan final report?

7 A. I drafted some of it.

8 Q. Did you also draft some of the portions of  
9 the report referring to O&P 7?

10 A. Yes.

11 Q. Did you also draft portions of the section  
12 of the report BLG 4?

13 A. Yes.

14 Q. Did you also draft certain portions of the  
15 report M&R 7?

16 A. Yes.

17 Q. And did you also draft certain sections of  
18 the report that are POP 2?

19 A. No.

20 Q. Who worked on POP 2?

21 that is not accurate, other than what are called the  
22 PMR tests in the supplemental final report, was there  
23 an additional metrics test conducted under the  
24 supplemental test plan other than the PMR test?  
25 A. No.

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1 Q. That is fine. That is all I needed to  
2 know. I probably misread.  
3 When did you start doing the drafting on  
4 the sections of the report that you worked on?  
5 A. Spring of 2000.  
6 Q. How many drafts were generated from the  
7 spring of 2000 until the final reported was  
8 published?  
9 A. Defining draft as not necessarily every  
10 edit that was made but more of let's say a  
11 significant draft, I would say approximately ten,  
12 plus or minus a couple.  
13 Q. Were those drafts shared with anyone  
14 outside KPMG, LLP and KCI?  
15 A. I believe so.  
16 Q. Who were they shared with?  
17 A. Bell South.  
18 Q. Who at Bell South received those drafts?  
19 A. I am not sure.

20 Q. Did you receive any comments back from  
21 Bell South on the metrics sections of any of the  
22 drafts?

23 A. No, not that I recall.

24 Q. Who within either KPMG, LLP or KCI  
25 reviewed the drafts of your sections of the final

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1 report?

2 A. Some of the drafts have also been reviewed  
3 by Steve Blough. Some of the early -- at least one  
4 of the initial drafts would have been reviewed by Ted  
5 Glickman. All the drafts were sent to Bryan Rudder  
6 and my understanding is he reviewed them. I believe  
7 that David Frye and Mike Weeks reviewed several, all  
8 of them. Some of them were reviewed by Merit  
9 Brantley-Dureau. Some of them may also have been  
10 reviewed by other personnel within KPMG Consulting.

11 Q. Was there any person who was principally  
12 responsible for reviewing the billing metrics tests,  
13 the drafts of the section report referring to the  
14 billing metrics tests?

15 MR. FRAZIER: Object to the form.

16 THE WITNESS: I would consider myself as  
17 the principal reviewer for the billing tests within  
18 KPMG, LLP. I can't say who else was principal  
19 reviewer on the KPMG Consulting side.



19 reader a comfort level that the effort was not worth  
20 the value gained? It sounds like we blew it off  
21 because B/C we were lazy, dot, dot, dot.  
22 Do you know who wrote that comment in that  
23 draft?  
24 MR. FRAZIER: That comment being the  
25 footnote you just read into the record?

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1 MS. AZORSKY: Yes.  
2 THE WITNESS: You are referring to the we  
3 need a little, and forward.  
4 BY MS. AZORSKY:  
5 Q. Yes. Assume that was not intended to be  
6 in the final published reported.  
7 A. I believe David Frye wrote that comment  
8 in.  
9 Q. Did KCI test the complete transformation  
10 of the early dangerous data into the raw data for  
11 invoice accuracy, PMR 4-24-1?  
12 MS. AZORSKY: While he is looking, if it  
13 would make you more comfortable and Lisa, you, too,  
14 if you want me to make this an exhibit, I am happy  
15 to.  
16 MS. FOSHEE: Give me the footnote number  
17 again.  
18 MR. FRAZIER: Footnote 1 on page VIII-D-7.

18 Q. So you think you went back and collected  
19 all of the data, this big data file and did that  
20 analysis; is that what I understand you to be saying?

21 A. I believe we obtained that data file and  
22 did an analysis on it.

23 Q. Okay. The next version of the report,  
24 that footnote is gone, okay?

25 A. Okay.

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1 Q. And that's why I was curious to know if  
2 you did conduct that complete analysis.

3 Is there a way looking at the final test  
4 report that we can be certain that analysis was  
5 conducted?

6 MR. FRAZIER: Well, let --

7 MS. AZORSKY: Strike that. I don't want  
8 to say it that way.

9 MR. FRAZIER: I object to that question.

10 MS. AZORSKY: No.

11 MR. FRAZIER: But I also want to make  
12 sure, you have represented, Tami, that what you are  
13 now showing the witness is the next version, which is  
14 an October 13, 2000 draft. I mean, I don't know  
15 whether they are numbered in a way where that can be  
16 established or not.

17 MS. AZORSKY: Let me back up and start all

17 Q. So instead of looking at over -- strike  
18 that.

19 The large data file that is referred to in  
20 footnote 1 of the August 14th draft, did that data  
21 file include the invoice accuracy information for all  
22 of the CLECs?

23 A. Yes, I believe so.

24 Q. So in conducting your analysis, you used  
25 some form of sampling, is that what I understood you

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1 to say?

2 A. Yes.

3 Q. And the sampling that you chose to do was  
4 what?

5 A. We picked some number of CLECs and  
6 requested the early stage data from Bell South for  
7 those CLECs.

8 Q. Do you remember how many CLECs you  
9 selected?

10 A. I am not certain.

11 Q. Was it more than five?

12 A. I don't believe so.

13 Q. Do you remember the identities of any of  
14 the CLECs you selected?

15 A. I believe so.

16 Q. Who were they?

17 MR. FRAZIER: Let me interpose right now  
18 an objection. I may want to speak with the client  
19 for a minute.

20 To the extent that you are identifying a  
21 particular CLEC, is that going to, based upon the  
22 information you have here, is that going to disclose  
23 something proprietary to the CLEC I am asking the  
24 question. I don't know the answer.

25 MS. AZORSKY: I don't believe so. I don't

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1 intend to go any further. I just want to know who  
2 they were.

3 MR. FRAZIER: Let me do this. Since the  
4 witness obviously appeared to have, I think was  
5 looking to me, let's just take a quick break.

6 MS. AZORSKY: Okay.

7 MR. FRAZIER: So I can understand what his  
8 issue might be.

9 (Recess.)

10 MR. FRAZIER: Back on the record.

11 Tami, in talking with the witness, there  
12 is at least some concern about whether disclosing the  
13 name, I take it it was one CLEC.

14 THE WITNESS: One I can recall.

15 MR. FRAZIER: In whether disclosing the

16 name would somehow result in disclosure of  
17 proprietary information to that CLEC. That being the  
18 case, at this point, since I don't have any knowledge  
19 that that CLEC has given permission for the  
20 disclosure of such information, I am going to  
21 instruct the witness not to answer the question.

22 I certainly would be more than open. We  
23 are not here trying to hide something in any way,  
24 shape or form, but I am not about to let him disclose  
25 something that may be inappropriate to disclose.

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1 MS. AZORSKY: Let me see if I can get to  
2 where I want to go without asking for that name.

3 MR. FRAZIER: That's fine.

4 BY MS. AZORSKY:

5 Q. Do I understand that when we talked about  
6 how many CLECs' information you reviewed you said it  
7 was less than five?

8 A. Correct.

9 Q. Is it one?

10 A. It might be.

11 Q. Okay. Is there only one CLEC's name you  
12 remember for whom you did the invoice accuracy  
13 analysis on a sampling basis?

14 A. There is one CLEC name that I can  
15 remember. I can't recall whether there are any

16 others in addition to it.

17 Q. Okay. Was that CLEC AT&T? That can't be  
18 proprietary, because I can waive that.

19 A. No, it wasn't.

20 Q. Thank you. Describe to me what you did in  
21 the context of PMR 2?

22 A. PMR 2 is basically what we refer to as our  
23 metrics definition test. There were four separate  
24 evaluation criteria that are a part of this test.  
25 They all focus on the SQM manual, raw data user

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1 manual and any other computation instructions we  
2 might have, manual metrics. I can list the four of  
3 them if you like.

4 Q. Go ahead and list the evaluation factors.

5 A. Okay, the first evaluation criterion,  
6 definition is complete and agrees with the name of  
7 the SQM. That is looking at the SQM manual and the  
8 definition listed at the very top.

9 The second criterion was the stated  
10 calculation is complete, logical and consistent with  
11 the definition. That is looking at the calculation  
12 description in the SQM manual and in comparison as  
13 it's stated.

14 The third criterion is that the Bell South

15 computation instructions, be they in the raw data  
16 user manual or the, on the, any other computation  
17 instructions provided separately agree with the  
18 calculation description in the SQM manual.

19       And then finally, there is listed  
20 exclusions are applied to raw data creation, if not  
21 included in Bell South's computation instructions.

22     Q.   Where were you looking when you were  
23 reading those?

24     A.   I happened to just open the book to page  
25 VIII-B-71. But this applies to all of our met

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1 distribution that we studied.

2     Q.   What were you looking at on that page that  
3 allowed you to go through those four evaluation  
4 criteria?

5     A.   The second column, evaluation criteria.

6     Q.   Were there instances in PMR 2 where you  
7 identified metrics for which Bell South's calculation  
8 of the metric was not consistent with what you saw in  
9 the SQM and raw data users manual?

10    A.   Could you repeat that, please.

11       THE REPORTER: "Question: Were there  
12 instances in PMR 2 where you identified metrics for  
13 which BellSouth's calculation of the metric was not  
14 consistent with what you saw in the SQM and raw data

15 users manual?"

16 THE WITNESS: I am not sure when you say

17 the calculation, if you are referring to the

18 calculation as implemented or the calculation

19 description listed in the SQM manual.

20 BY MS. AZORSKY:

21 Q. I am referring to the calculation as

22 implemented.

23 A. In the SQM reports.

24 Q. The calculations as implemented in the SQM

25 reports.

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1 A. There were certainly some times where the

2 computation instructions did not agree with the

3 calculation description.

4 We did not -- I should say, the comparison

5 between the -- the evaluation of the computation

6 instructions is really part of a different test,

7 PMR 5.

8 Q. Let me restate the question. I am not

9 sure you understood the question I was asking.

10 A. Please.

11 Q. Were there times in the context of PMR 2

12 where you looked at the SQM manual. And the SQM

13 manual says this is the way you calculate this



14 measure, and these are the dates that are excluded,  
15 then when you looked at what Bell South was doing,  
16 Bell South was doing it differently than was stated  
17 in the SQM manual?

18 A. I believe our PMR 2 test is a comparison  
19 of what Bell South said they were doing per the SQM  
20 manual to what Bell South said they were doing per  
21 the computation instructions. There wasn't really  
22 the use of the SQM reports, themselves, as part of  
23 the PMR 2 test.

24 Q. Is that what was done in PMR 5?

25 A. PMR 5 would use the computation

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1 instructions and would calculate the values and do  
2 our comparison.

3 So part of what might come out of a PMR 5  
4 test, and what did come out of some of the PMR 5  
5 tests, and some were replication tests, were on  
6 occasion that the computation instructions were  
7 incomplete or occasionally inaccurate.

8 Q. Do I understand you to be saying what Bell  
9 South was doing was not the same as what was  
10 described by the computation instructions?

11 A. That's correct.

12 Q. When you find that to be the case, what  
13 did you do?

14 A. We would issue an exception, and we would  
15 indicate in that exception that using the computation  
16 instructions we calculated certain values, may be or  
17 not the same as the ones Bell South had in their SQM  
18 reports.

19 Q. What if Bell South came back and said,  
20 assume hypothetically that Bell South came back and  
21 said the SQM calculation description isn't accurate,  
22 that is not how we do it, okay? What would your  
23 response to that be?

24 MR. FRAZIER: I object to the extent you  
25 are asking for a hypothetical, now you are really

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1 asking him to speculate, aren't you?

2 BY MS. AZORSKY:

3 Q. Let's take that back a step. Did that  
4 ever happen? Did it ever happen that you issued an  
5 exception and Bell South came back and said, we don't  
6 do it the way it says in the SQM, we do it  
7 differently?

8 A. Yes.

9 Q. In that instance -- do you remember what  
10 test that was?

11 A. I should say it was different from what  
12 they said in the raw data user manual, the

13 computational instructions.

14 Which test? There were certainly some  
15 cases in PMR 5. And there may also have been, there  
16 were also cases – let me take a look.

17 There were cases as well in billing 4,  
18 BLG 4. There were also cases for preordering 2.  
19 There were cases in OMP 7. And there were also cases  
20 in M&R 7.

21 Q. You went through and listed a number of  
22 tests. Do I understand you to be saying that there  
23 were, all of these tests you referred to were  
24 instances where the raw data users manual description  
25 of how the metric is calculated did not agree with

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1 the way Bell South was calculating it?

2 MR. FRAZIER: Object to the form.

3 THE WITNESS: In some cases, the raw data  
4 user manual computation instructions did not agree  
5 with how Bell South was actually calculating values.

6 In other cases there were, computation  
7 instructions were not part of the raw data user  
8 manual because they were manual metrics, and they did  
9 not agree with the way Bell South was calculating. I  
10 am not certain at this point whether there was a case  
11 in each of those areas I mentioned.

12 BY MS. AZORSKY:

13 Q. I am not trying to pin you down on that.  
14 A. Okay.  
15 Q. I am just trying to understand what it was  
16 you were describing. And what it was you were  
17 describing was the raw data users manual calculation  
18 description didn't agree with the way Bell South was  
19 calculating the metric?  
20 A. No. I was referring to the computation  
21 instruction which in some cases was included in the  
22 raw data user manual, in other cases was not part of  
23 the raw data user manual but was a separate either  
24 verbal or written file provided to us.  
25 Q. Okay. That computation instruction did

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1 not agree with the way Bell South was --  
2 A. Correct.  
3 Q. -- calculating the metric?  
4 A. Correct.  
5 Q. Were there also instances in which the SQM  
6 described a metric and what data would be excluded  
7 from the calculation of that metric and you  
8 determined that Bell South excluded different data  
9 than what was described in the SQM?  
10 A. There were cases where Bell South excluded  
11 data in addition or different from the data, the

12 exclusions listed in the SQM manual.

13 Q. When you identified a situation where Bell

14 South excluded data different than the exclusions

15 listed in the SQM manual, did you advise Bell South

16 that they must change the SQM manual?

17 MR. FRAZIER: The "you" now being?

18 MS. AZORSKY: KCI and KPMG.

19 THE WITNESS: Would you mind repeating

20 that, please.

21 THE REPORTER: "When you identified a

22 situation where BellSouth excluded data different

23 than the exclusions listed in the SQM manual, did you

24 advise BellSouth that they must change the SQM

25 manual?"

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1 THE WITNESS: When you say different, do

2 you mean in addition to?

3 BY MS. AZORSKY:

4 Q. Let's start over again.

5 A. Okay.

6 Q. I believe you told me that you identified

7 situations where there were exclusions listed in the

8 SQM manual and Bell South excluded additional data;

9 is that correct?

10 A. I am not sure I said that today, but they

11 did exclude additional data where the exclusion rules

12 are not listed in the SQM manual.

13 Q. When you identified a situation where Bell  
14 South excluded additional data that was not listed in  
15 the SQM manual exclusions, did you direct Bell South,  
16 strike the word direct, did you advise Bell South to  
17 modify their SQM manual?

18 A. No.

19 Q. Did you advise Bell South to modify what  
20 they were excluding?

21 A. We viewed our role as pointing out  
22 discrepancies to Bell South. There were instances  
23 where, when we found exclusions that were not listed  
24 in the SQM manual, Bell South changed the SQM manual.  
25 There were other cases where Bell South no longer

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1 excluded data that they had been excluding. But we  
2 did not tell them which to do, if either.

3 Q. Can you think of any instance in any of  
4 the metrics tests you were involved in where KCI or  
5 KPMG told Bell South to modify its SQM manual to list  
6 data that they were excluding that was not currently  
7 listed in the SQM manual?

8 A. I can't recall.

9 Q. You can't recall if you did it, or you  
10 can't recall any instances in which you did it? I am

11 just unclear on what I can't recall means.

12 MR. FRAZIER: Object to the form of that.

13 Go ahead. See if you can clarify your answer.

14 THE WITNESS: I can't recall whether I

15 told Bell South to change their SQM manual based upon

16 the exclusions that were being, were being employed.

17 BY MS. AZORSKY:

18 Q. Do you mean to say that you might have

19 done it and you just can't remember, or do you mean

20 to say that you can't recall ever doing that?

21 A. I might have done that, but I can't

22 remember.

23 Q. If you didn't view your role as, if you

24 viewed your role as a role to point out

25 discrepancies, but not to tell Bell South what to do,

1 why would you have told them to modify their SQM?

2 MR. FRAZIER: If in fact he did, which he

3 can't recall.

4 THE WITNESS: I think that if I told them

5 to modify their SQM based upon exclusions, for

6 instance, that were not listed but were being

7 employed, I probably went beyond the scope of the

8 test.

9 BY MS. AZORSKY:

10 Q. So you don't think that is what you were

11 supposed to do within the scope of the test?

12 A. Correct.

13 Q. Did you ever physically give Bell South a

14 draft of something they should add to their SQM

15 related to exclusions?

16 MR. FRAZIER: Object to the form.

17 THE WITNESS: Not that I recall.

18 BY MS. AZORSKY:

19 Q. Do you know if anyone who worked on the

20 metrics portion of this test with you actually

21 drafted sections of Bell South's SQM related to

22 exclusion?

23 A. Not that I know of.

24 Q. Would that have been within the scope of

25 the test, if it happened?

1 MR. FRAZIER: Well, object to the form of

2 the question.

3 THE WITNESS: I don't think it would have

4 been required by the scope of the test.

5 BY MS. AZORSKY:

6 Q. Do you think it would have been outside

7 the scope of the test?

8 MR. FRAZIER: Object to the form.

9 THE WITNESS: I think that looking at any



10 draft of a, of an SQM manual that Bell South  
11 prepared, particularly regarding exclusions or  
12 anything else relating to the SQM manual, telling  
13 them that, and having them ask if, if we made this  
14 our new SQM for this metric, would you still have  
15 discrepancies and answering that question and telling  
16 them what the discrepancies were would be within the  
17 scope of the test.

18 I think actually writing words is probably  
19 beyond the scope of the test.

20 (Pause.)

21 BY MS. AZORSKY:

22 Q. Did you ever have a discussion with anyone  
23 at Bell South about whether non-business hours should  
24 be excluded from the calculation of the FOC  
25 timeliness and reject timeliness measures?

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1 MR. FRAZIER: Now the "you" is directed at  
2 Mr. Freundlich?

3 MS. AZORSKY: Yes.

4 THE WITNESS: I certainly had  
5 conversations about whether they are and whether they  
6 were and how many and which hours. I don't remember  
7 whether I had conversations on whether they should or  
8 shouldn't be.

9 BY MS. AZORSKY:

10 Q. Did you ever tell anyone at Bell South  
11 that they should revise their SQM manual to exclude  
12 non-business hours for calculations of FOC timeliness  
13 and reject timeliness for partially mechanized  
14 orders?

15 A. I don't recall.

16 Q. You don't recall having such a  
17 conversation?

18 A. No. I don't exactly recall having such a  
19 conversation.

20 Q. Did anyone working with you on the metrics  
21 portion of the test ever tell you that they had such  
22 a conversation?

23 A. Not that I recall.

24 Q. When we went through the exceptions that  
25 were discussed on last week's weekly status call, you

1 went through 79, 86, 89, 122 and 136 and 137. Are  
2 there any other metrics exceptions that are still  
3 open?

4 A. There aren't any others that were part of  
5 my part of the test that I recall.

6 Q. When you say your part of the test, are  
7 you defining a universe smaller than all of the  
8 metrics examinations in the test?

9 A. Well, you referred to exception 129  
10 earlier, so I would be excluding that. Assuming that  
11 is still open, which I have no idea if it is or  
12 isn't. Or anything else that came out of the  
13 Birmingham audit.

14 Q. Okay. Do you know how many exceptions are  
15 open with regard to the Birmingham audit?

16 A. No, I don't.

17 Q. When we were talking about the various  
18 kinds of calls that you have, we talked about this  
19 weekly status call with Bell South and the commission  
20 staff, we talked about biweekly calls with CLECs and  
21 Bell South and the commission staff.

22 Are those biweekly calls with CLECs, Bell  
23 South and the commission staff still occurring?

24 A. Yes.

25 Q. When was the last one of those?

1 A. I don't recall whether it was last  
2 Wednesday or the previous Wednesday.

3 Q. Okay.

4 A. It was this month.

5 Q. What was discussed on that call?

6 A. I gave an update on the status of the open  
7 exceptions. Again, I can't recall whether Linda Gray  
8 participated or not, but whoever was present would

9 give an update on the status of their work.

10 Rob Elgie was present. And CLECs

11 generally raise any questions they have. I can't

12 recall anything specific from the last call, however.

13 Q. When did you start having those biweekly

14 calls with the CLECs?

15 A. They became biweekly I would say sometime

16 over the summertime.

17 MR. FRAZIER: Summer of which year?

18 THE WITNESS: Of this year. Before that

19 they were weekly calls. I believe they started

20 sometime in 2000. I am not sure exactly when. I

21 don't recall.

22 (Freundlich Exhibit No. 1 was

23 marked for identification.)

24 BY MS. AZORSKY:

25 Q. Let me hand you, Mr. Freundlich, what we

1 have marked as Freundlich Exhibit 1, which is a

2 two-page document entitled BellSouth-Georgia OSS

3 Status Meeting Minutes, September 19, 2001.

4 Do you recognize there document?

5 A. I am not certain whether I have seen this

6 particular document before.

7 Q. I don't really have any questions for you

8 about the specific document.

9 A. Okay.

10 Q. But what I want to know is if documents  
11 like Exhibit 1 are drafted after these calls with the  
12 CLECs.

13 A. This looks like the format for the minutes  
14 that is created.

15 Q. Who drafts minutes?

16 A. Rob Elgie.

17 Q. Do similar minutes exist for the weekly  
18 status calls with BellSouth and the commission staff?

19 MR. FRAZIER: Similar in the sense of the  
20 same format or something else.

21 MS. AZORSKY: Strike that.

22 BY MS. AZORSKY:

23 Q. Do minutes exist for the meetings of the  
24 calls between BellSouth and the commission staff and  
25 KPMG, KCI?

1 A. I don't know. I certainly don't believe I  
2 have ever seen any.

3 Q. Do you keep any notes of the conversations  
4 with KPMG, KCI, BellSouth and commission staff?

5 A. No, I don't.

6 Q. One of the other calls you mentioned were  
7 calls with BellSouth's metrics people. Are those

8 regularly scheduled calls?

9 A. No, they are not, not now.

10 Q. Were they ever regularly scheduled calls?

11 A. Yes.

12 Q. For what period of time, from when to

13 when, were they regularly scheduled calls?

14 A. I believe there were some regularly

15 scheduled calls in the fall of '99, perhaps, or very

16 early 2000.

17 Q. Who participated in those regularly

18 scheduled calls?

19 A. For KPMG, often myself, sometimes Lisa

20 Sanchez, sometimes Ted Glickman. And from BellSouth,

21 Sheila Bonner. I don't think there was anyone else

22 from BellSouth.

23 Q. What was the purpose of those calls for

24 the period of time when they were regularly

25 scheduled?

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1 A. It was a -- I'd say it was basically a

2 reminder to BellSouth of any data requests that we

3 had made or any questions we were waiting for, or to

4 give us an opportunity to request meetings or phone

5 calls with people on the BellSouth side.

6 Q. Did you ever receive clarifications

7 relating to data during those calls with BellSouth's

8 metrics people?

9 A. Those regularly scheduled calls?

10 Q. Those regularly scheduled calls.

11 A. I don't believe so. Not that I can

12 recall.

13 MS. AZORSKY: I don't think I have any

14 further questions.

15 MR. FRAZIER: Ms. Foshee, do you have any

16 questions?

17 MS. FOSHEE: I don't.

18 MR. FRAZIER: How about anyone from KCI?

19 MS. SIMPSON: We have no questions.

20 MR. FRAZIER: Thank you very much.

21 THE REPORTER: Will he read and sign?

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1 MR. FRAZIER: I think so.

2 (Whereupon, at 12:27 p.m., the taking of

3 the instant deposition ceased.)

4

5

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7 \_\_\_\_\_

8 Signature of the Witness

9 SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of

10 \_\_\_\_\_, 20\_\_\_\_\_.

11

12 \_\_\_\_\_

13 Notary Public

14 My Commission Expires: \_\_\_\_\_

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